UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION

IN RE:	
CHARLES HENRY PHILLIPS	CASE NO. 10-81283
DORRIS BOLER PHILLIPS	Chapter 13
Debtor(s)	

RESPONSE TO OBJECTION TO CLAIM

NOW COMES Beneficial Mortgage Company of North Carolina ("Lender"), by and through its undersigned attorney, and responds to the Debtor's Objection to Claim filed herein as grounds therefore respectfully shows as follows:

1. The proof of claim filed on behalf of Lender is correct and Lender will provide the Debtor with documentation further supporting the amounts claimed.

2. Included in the proof of claim is an item for "Daily Simple Interest." This item refers to interest that accrued on the principal balance of the loan when the Debtor failed to make payments sufficient to cover the interest due through the date of payment, less the pre-petition payments included in the proof of claim. The Daily Simple Interest is not duplicated in the payment arrearage, it is a separate item.

3. Lender is willing to temporarily waive the daily simple interest due included in the proof of claim to the end of the Note to be paid at maturity or payoff date provided such amount survives discharge.

WHEREFORE, Lender prays the Court as follows:

1. For a hearing on the Debtor's Objection to Claim;

2. For an Order overruling the Debtor's objection to claim; and,

3. For such other and further relief as the Court deems just and proper.

DATED: October 21, 2010

/s/ Christine M. Lamb
N.C. State Bar No. 19616
THE LAMB FIRM
P.O. Box 2188
Davidson, NC 28036-2188
(704) 892-3600

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CERTIFICATE OF SERVICE

The undersigned certifies that this day the pleading or paper to which this Certificate is affixed was served upon the person(s) listed below by mailing a copy of the same, properly addressed and postage prepaid via the United States Postal Service.

John T. Orcutt
6616-203 Six Forks Rd.
Raleigh, NC 27615

Richard M. Hutson, II, Trustee
PO BOX 3613
Durham, NC 27702

Charles Henry Phillips
Dorris Boler Phillips
1100 Lansing Ave.
Durham, NC 27713

DATED: October 21, 2010

/s/ Christine M. Lamb
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